

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 22-CR-60078-RUIZ(s)(s)

UNITED STATES OF AMERICA

v.

**WILBER VIGIL-BENITEZ,**  
**Defendant**

/

**NOTICE OF FILING OF PROPOSED VOIR DIRE QUESTIONS**

The United States, through the undersigned United States Attorney, respectfully submits the following proposed voir dire questions:

1. Cooperating Witnesses:

You may hear testimony in this case from cooperating witnesses, that is, witnesses who at one time were involved in illegal activity, but who have now pled guilty to crimes and are testifying on behalf of the Government in the hope of receiving a lower sentence. I instruct you that the use of such a cooperating witness is perfectly legal and may often be a necessary law enforcement tool. Do any of you have any experience with or feelings about the use of cooperating witnesses generally, or the use of evidence or information obtained from cooperating witnesses, that would make it difficult for you to render a fair and impartial verdict if you heard testimony from a cooperating witness? Would you have any bias for or against the Government because of evidence obtained in this manner? Would you give any additional weight to testimony that came from a cooperating witness?

2. Gangs

Would the fact that one of the charges in this case involves racketeering activity, specifically, a gang, affect your ability to be fair and impartial in this case? This case involves the MS-13 gang, which has been in the news in the past. Will that affect your ability to be fair and impartial in this case?

3. Types of Evidence

Does anyone have any expectations about the types of evidence that the Government should or will present in this criminal trial, or in a criminal trial more generally? Would any of you be unable to follow the judge's instructions that the Government is not required to use any particular investigating technique in presenting evidence of a crime?

4. Uncharged Co-Conspirators / Other Defendants not on Trial

The defendant is charged with acting with others in committing the crime charged in the Indictment. You may not draw any inference, favorable or unfavorable, towards the Government or the defendant from that fact. You also may not speculate as to the reason why other people are not on trial at this time. Is there any juror who cannot follow this instruction or who for this reason would have difficulty rendering a fair and impartial verdict?

5. Immigration Status

You may hear testimony about the immigration status of the victim, cooperating witnesses, or the defendant. Some of those individuals may have been living in the United States without legal status. Immigration has been in the news recently. Is there any juror that will tend to not believe a witness solely based upon their immigration status?

Respectfully submitted,

MARKENZY LAPOINTE  
UNITED STATES ATTORNEY

By: *s/Brian Dobbins*  
BRIAN DOBBINS  
Assistant United States Attorney  
Court No. A5501182  
99 NE 4<sup>th</sup> Street, 6<sup>th</sup> Floor  
Miami, FL 33132  
Tel: (305) 961-9304  
[Brian.Dobbins@usdoj.gov](mailto:Brian.Dobbins@usdoj.gov)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on January 15, 2025, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

*s/Brian Dobbins*  
Brian Dobbins  
Assistant United States Attorney